93-462

No. _____

Supreme Court, U.S.
FILED
SEP 20 1993
OFFICE OF THE CLERK

In The

Supreme Court of the United States

October Term, 1993

In the Matter of the Amended Complaint of the STATE OF NEBRASKA, accommodation party of the insolvent defacto UNITED STATES, d/b/a agent of "the fund" and "the bank", in, by, and through its representatives attorneys, agents and employee servants, ex rel; for exoneration from false arrest, malicious prosecution and seditious misrepresentation.

ROBERT V. BETKE, In Proprius,

Petitioner,

vs.

STATE OF NEBRASKA INC., ETAL
d/b/a NEBRASKA HIGHWAY PATROL,
d/b/a LYNN NABER, In Proprius,
and as Badge No. 132, EX REL,

Respondents.

Petition For A Writ Of Certiorari To The Buffalo County Court In And For Buffalo County, Nebraska

Petition For Writ Of Certiorari

Robert V. Betke
Petitioner, In Proprius
c/o Rt. 1, Box 56
Ravenna, Nebraska

Zimmerman Printing · Kearney, Nebraska

29 pp

I. QESTIONS PRESENTED

1. Whether there is a "plain error" to 22 U.S.C. 612, FOREIGN RELATIONS, if so, did the state's agent-attorneys, employees and solicitors have standing in the state tribunal to prosecute a charge when acting in the interest of a foreign principal while not registered with the Attorney General of the United States.

2. Whether the state's attorneys are required to register as exempt pursuant to 22 U.S.C. 613.

3. Whether this court should exercise it's power of supervision and discretion to determine whether the state agents were acting as public relations counsel, publicity agents, information service employees, servants, agents, representatives or attorneys for a foreign principal.

4. Whether the abuses of subpoena process were compounded by the state's Supreme court when it "Overruled as moot" the appellant's request for production of the state agent's registration credentials pursuant to 22 U. S. C. 612.

5. Whether the "national emergency" is sufficient excuse for state officials to abridge the due process of law.

II. LIST OF AGENTS

The following are the names of the agents doing business in the interest of a foreign principal. It should be noted that they are required to be registered and provisions are made by the Attorney General of the U. S. for exemption.

Lynn Naber, Badge No. 132,
Nebraska Highway Patrol,
514 Linden Drive, Kearney Nebr.
68847 (308 234-3359)

Richard C. Anderson,
Buffalo County Atty.
10 Kings Ct., (308 237-7924)
Kearney, Nebraska 68847

Susan T. Lehr, (308 236-1222)
Asst. County Atty. # 19248
709 W. 38th, Apt. 18,
Kearney, Ne. 68847

Lloyd Freburg, Badge No. 9,
(308 893-3012) Rt. 3, Bx. 22,
Kearney, Nebraska 68847
(308 893-3012)

Mark D. Starr, (402 471-1682)
Asst. Atty. General #16164
5959 Oakridge Dr.,
Lincoln Nebr. 68516

Donald B. Stenberg,
Atty. General #14023
(402 471-2682/FAX 402 471-3297)
6107 S. 25th,
Lincoln, Nebraska 68512

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- -

Footnote:
See page ii, Rule 45 (**Prior Rule 52**)
Process; Mandates

.1. All process of this Court shall be in the name of the President of the United States. (**and shall contain the given names, as well as the surnames, of the parties.**)

IV. TABLE OF AUTHORITIES

CASES

Rabinowitz v. Kennedy, 376 US 605, ... 5, 9
11 L ed 2d 943, 84 S Ct 919 (1964)
Exparte Milligan, 4 Wall 2 (1866) 9
Nelson v. Carland, 1 How (U.S.) (1843) 9
n. 11 L. Ed. 126

STATUTES

18 U.S.C. 951, FRCrP 5
28 U.S.C. 1257 (a) 2
22 U.S.C. 611, Foreign Agents
Registration Act (1938) 6
22 U.S.C. 612, F.A.R.A., ibid, ... 6
22 U.S.C. 286 a. 8
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CONSTITUTIONAL PROVISIONS

Article I, Section 10, Clause 1 8
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TREATIES, AGREEMENTS AND PUBLIC LAW

P.L. 95-564, Bretton Woods Agm't Act (1945) 7
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Executive Orders (@ Senate Report 93-549,
pgs. 187 and 594) (1933 et seq.) 7
P.L. 94-412 Title V, § 502 ..... i @ 5, 9

RULES

United States Supreme Court Rule 45 iii

No. _____

In The
Supreme Court of the United States
October Term, 1993

ROBERT V. BETKE, In Proprius,

Petitioner,

vs.

STATE OF NEBRASKA INC., ETAL
d/b/a NEBRASKA HIGHWAY PATROL,
d/b/a LYNN NABER, In Proprius,
and as Badge No. 132, EX REL,

Respondents.

PETITION FOR A WRIT OF CERTIORARI TO THE BUFFALO COUNTY COURT IN AND FOR BUFFALO COUNTY, NEBRASKA

V. PETITION

Robert V. Betke, requests a Writ of Certiorari to review the orders and opinions of the County Courts in and for Buffalo County, and the Supreme Court of the State of Nebraska.

VI. FINDINGS BELOW

The Supreme Court mandate dated June 18, 1993 was transmitted to the County District Court (A8) and Judgment on the Mandate was decreed (A-10) and entered on June 25, 1993 and July

12, 1993, respectively. (A-11)

The County Court granted an extension of time until September 27, 1993 for the perfection of this petition. (A-12)

VII. JURISDICTION

The jurisdiction of this court is invoked at **28 U.S.C. §1257. State courts; certiorari; (a)** Final judgments or decrees rendered by the highest court of the State in which a decision could be had, may be reviewed by the Supreme Court by writ of certiorari where the validity of a treaty or statute of the United States is drawn in question or where the validity of a State statute is drawn in question on the ground of its being repugnant to the Constitution, treaties or laws of the United States, or where any title, right, privilege or immunity is specially set up or claimed under the Constitution, or the treaties or statutes of, or commission held or authority exercised under, the United States.

VIII. STATUTES INVOLVED

Statutory provisions and applications relevant to the questions presented are setforth, verbatim, in the text.

IX. STATEMENT OF THE CASE

On April 30, 1992 at an Interpol road blockade ordered by his commanding

sargent, Interpol agent highwaymen Naber Badge No. 132 of the Nebraska Highway Patrol issued a citation, claiming 71 F.R.A.U.D.$ -(Fed. Res. Acct'g Unit Device$)- without probable cause, charging Robert V. Betke with an infraction of Nebr. Stat. 60-484. (No Operators License)

Defendant qualified his signature on the face of the citation and on May 7, 1992 applied for a license. His application was refused when he declined to alter his legal status by oath of expatriation.

Defendants proffer of tender in payment of the 71 FRAUD$ fine was refused for cause that he declined to sign a **Waiver and Plea of Guilty form** to subrogate the state's entry into the rights of holder in due course in the interest of a foreign principal-fiscal depository agent of "the bank" and "the fund"; **"which may be used against me in any later proceeding."**

Petitioner appeared on May 20, 1992 and was not arraigned.

On May 26, 1992, the Assistant County Attorney filed an Amended Complaint (A-1) and failed to show that she had standing to practice in the state tribunals.

Defendant gave Judicial Notice of foreign law and amended his demurrer.

A hearing was set for 09:00 A.M. June 29, 1992. The petitioner appeared and the tribunal was coram non judice, but convened in the afternoon without notice and, the Defendant was never arraigned.

During a motion hearing on July 21, 1992, not having been arraigned the Defendant tendered the 71 FRAUD$ which were accepted with his Motion in Error.

Trial was set for August 3, 1992.

Your petitioner subpoenaed the state agents' **F**oreign **A**gents **R**egistration **A**ct credentials. Those subpoenaed failed or refused to comply and contemptuously proceeded over the defendant's Motion to Dismiss, which was overruled by the referee.

The highwayman had no recorded oath of office filed with the Secretary of State as required, and was acting illegally as an Interpol agent at the blockade.

Defendant was sediciously prosecuted and after his allocution statement, "Exceptio In Personam In Peremptoria" his Motion in Arrest of Judgment was overruled and the fine was maliciously escalated.

Later on appeal, when jurisdiction was challenged the District Court stated:

> ".....that the lack of those rights would need to be justified by the state on something other than the existance of martial law,...."

The State did not resolve this issue of unperfect public political legalized war and your petitioner appealed to the

Supreme Court of Nebraska; Appellant's Motion for Order To Produce F.A.R.A. statements was "Overruled as Moot." (A-3) No other opinion was given as to whether the agents and attorneys had standing to prosecute when indirectly subsidized and acting as unregistered information service employees for the U.N. and Interpol.

X. ARGUMENT

> "That Act requires the registration of 'any person who acts or agrees to act . . . as . . a public relations counsel, publicity agent, **information service employee, servant, agent, representative, or attorney for a foreign principal**' . . ." 376 US 607

> **§951. Agents of foreign governments**
>
> Whoever, other than a diplomatic or consular officer or attache, acts in the United States as an agent of a foreign government without prior notification of the Secretary of State, shall be fined not more than $5000 or imprisoned not more than ten years, or both. Title 18 U.S.C. §951

At the beginning of the trial the defendant submitted a letter he received on July 28, 1992 from Mr. Joseph E. Clarkson, Registration Unit, Internal Section, Criminal Division, U.S. Department of Justice, Washington, D.C. in response to his inquiry, whether the agent-attorneys and

representative employees of the State of Nebraska had registered as required pursuant to 22 U. S.C. 611 et seq. (A-2)

They were not registered.

22 U.S.C. § 612. Registration Statment

(a) No person shall act as an agent of a foreign principal unless he has filed with the Attorney General a true and complete registration statement and supplements thereto as required by subsections (a) and (b) of this section unless he is exempt from registration under the provisions of this subchapter. Except as hereinafter provided, a person who becomes an agent of a foreign principal shall, within ten days thereafter, file with the Attorney General, in duplicate, a registration statement, under oath on a form prescribed by the Attorney General.

22 USC § 611. Definitions

(c) Except as provided in subsection (d) of this section, the term agent of a foreign principal means--

(1) any person who acts as an agent, representative, employee, or servant, or any person who acts in any other capacity at the order, request, or under the direction, or control, of a foreign principal or of a person any of whose activities are directly supervised, directed, controlled, financed, or subsidized in whole or in

part by a foreign principal, and who directly or through any other person-

(iii) within the United States solisits, collects, disburses, or dispenses contributions, loans, money, or other things of value for or in the interest of such foreign principal;

The agents named were soliciting, collecting and dispersing private obligations for a foreign instrumentality of the dejure United States declared bankrupt by Executive Orders 6073, 6102, 6111, and 6260 (1933) under the "Trading With the Enemy Act" of October 6, 1917, (12 U.S.C. A. 95a) and reorganized thereafter:

> "Section 9 of the bill would also delete the reference in Section 14(c) of the Gold Reserve Act to the **'Treasury of the United States'** and substitute therefor the **'United States Treasury'**. This substitution reflects **Reorganization Plan No. 26 of 1950** (31 U.S.C. 1001) and a **reorganization** within the Fiscal Service of the Treasury Department effective February 1, 1974. All accounts of the **'Treasurer of the United States'**, including accounts relating to gold held against outstanding gold certificates, now are accounts of the **'United States Treasury'**. The Department of the Treasury proposes to amend or repeal other statutes, as

and when appropriate, to make similar substitutions in the law." P.L. 95-564, pg. 5967; see 5 U.S.C. 702-903 and 22 U. S.C. 286 a. **Appointments,** Governors and executive directors; term of office.

XI. CONTITUTIONAL PROVISIONS

The escalation of the fine to 200 FRAUD$ was a malicious act after the fact of no arraignment. The acceptance of the defendant's Motion In Error with the 71 FRAUD$ claimed was prior to any trial.

Legislative Article I, Section 9, Clause 3 of the Constitution For the United States and the Bill of Rights, Article I, Sec. 16 of the Nebraska Constitution are in unanimity in that:

> **"No Bill of Attainder, or ex post facto law shall be passed."**

The provision in Article I, Section 10, Clause 1 of the Constitution For the United States also prohibits such bills:

> **"No State shall .... pass any Bill of Attainder, ex post fact Law,... "** &c.

Where the state requires expatriation in its magisterial waiver and plea of guilty: **"which may be used against me in any later proceeding"**, to settle a claim by agents acting in the interest of foreign principals, -("the fund" and "the bank")- it is evident that a form of a bill of the lesser degree of attainder is being enforced and such legislative rules are null, void and illegal ab inititio.

XII. SUMMARY

This case involves the state agents contemptuous noncompliance with federal law and the abrogation of arraignment and subpoena process for the production of their required F.A.R.A. credentials.

The agents (pg. ii) were not registered with the Attorney General of the U.S., nor did they show that they were exempted by the Attorney General.

Petitioner's subpoenas and requests for FARA credentials were evaded and "Overruled as moot". (A3) His request for rehearing was also overruled. (A5)

> "The conclusion, therefore, that petitioners, attorneys representing a foreign government in legal matters including litigation, are not exempt from registering under the Foreign Agents Registration Act." 376 US 605, 11 L ed 2d @ 43, 84 S Ct 919.

Your Petitioner was convicted under a presumption of unrevealed authority, and colorable law as under the "**except**" clause of the Fifth Article in Amendment to the Constitution For the United States of America, of "**..war or public danger;**" &c. (4 Wall @ 137) in conjunction with Article IV, § 3, Cl. 2, Article II, § 2 and P.L. 94-412 in the interest of an unnamed foreign principal, where:

"..every state law is a bankrupt law

in substance and in fact, that causes to be distributed, by the tribunal, the property of a debtor among his creditors;" 1 How (U.S.) @ 281.

XIII. CONCLUSION

In these matters of violations of U.S. law by state solicitors, the Petitioner respectfully requests that this Court grant a Writ of Certiorari to provide guidance for those who are acting in the interest of a foreign principal soliciting and receiving current foreign securities illegally, and proscribe whether there is plain error to 22 U.S.C. 611 et seq. etc., by certifying these questions of conflict of law.

Justice requires that this Honorable Tribunal grant this request for review of the administrative record in this case.

Your Petitioner explicity reserves all rights and respectfully requests that a Writ of Certiorari issue to the Buffalo County Court in and for Buffalo County Nebraska to clarify the questions of conflict of International Common Law Merchant herein setforth.

DATED this 16th day of September 1993.

Respectfully submitted,

Robert V Betke

Robert V. Betke, Petitioner
In Proprius, Rt. 1, Box 56
Ravenna, Nebraska

XIV APPENDIX A

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1.	Amended Complaint,	5/26/92 ...	A-1
2.	J. E. Clarkson Letter,	7/28/92 ...	A-2
3.	Nebr. Sup. Ct. Order, 5/19/93 (Applt. Mot. for Production Order filed 04/28/'93; Overruled as moot)		A-3
4.	Nebr. Sup. Ct. Order, 5/19/93 (Mot. of Appellee for summary affirmance sustained; judgment affirmed. See Rule 7 b (2)		A-4
5.	Nebr. Sup. Ct. Order, 5/19/93 (Motion of Appellant for rehearing overruled.)		A-5
6.	Nebr. Sup. Ct. Order, 6/15/93 (Mot Appellant Ext Brf Dt-Brf Suppt MFR filed 05/25/'93; Overruled)..		A-6
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8.	Nebr Sup. Ct. Mandate, 6/15/93 (Judgment Affirmed-No Opinion) ...		A-8
9.	Nebr. Sup. Ct. Order, 6/28/93 (Applt. Mot. to stay mandate & brief filed 6/24/93; Overruled)..		A-9
10.	Buffalo County District Court Judgment on Mandate,	6/12/93 ..	A-10
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STATE COMPLAINT

STATE OF NEBRASKA)
Plaintiff) **AMENDED COMPLAINT**
vs) PA 517714 1
) NO OPERATOR'S LICENSE
ROBERT V. BETKE) Section 60-484
Defendant)

STATE OF NEBRASKA,)
) ss.
COUNTY OF BUFFALO.)

Complaint made in the name of the State of Nebraska before the Buffalo County Judge in and for Buffalo County this 26th day of May, 1992, by the undersigned Susan T. Lehr State's Attorney for Buffalo County, who being duly sworn on his/her oath, says that Robert V. Betke on or about the 30th day of April, 1992 in Buffalo County, Nebraska

Unlawfully did then and there operate a motor vehicle upon the streets, alleys or public highways of the state without obtaining a license for that purpose

contrary to the Statutes of the State of Nebraska.

RICHARD C. ANDERSON, County Attorney

By: **(Signed)**
FILED: SUSAN T. LEHR, DEPUTY #19248

Subscribed in my presents and sworn to before me this 26th day of May, 1992.

SEAL: **(Signed)**
In and for Buffalo County, Nebraska

———o———

U.S. Department of Justice

SEAL

Washington, D.C. 20530

JUL 28 1992

Mr. Robert V. Betka
Rt. 1, Box 56
Ravenna, Nebraska 68869

Dear Mr. Betka:

In response to your resent request, a search of the records maintained under the Foreign Agents Registration Act for the name(s) you submitted disclosed the following:

✓ No record.
__ A record was found of the following names(s):

In thae absence of further identifing information, it is not possible to ascertain if the identity of any person whose name was located in the records is the same as that of the person whose name you submitted.

Sincerely,

(Signed)_____
Joseph E. Clarkson, Chief
Registration Unit
Internal Security Section
Criminal Division

NEBRASKA SUPREME COURT
AND NEBRASKA COURT OF APPEALS
OFFICE OF THE CLERK
P.O. BOX 98910
2413 State Capitol Building
Lincoln, Nebraska 68509
(402) 471-3731

May 19, 1993

Robert V. Betke
Route #1, Box 56
Ravenna, NE 68869

IN CASE OF: S-93-0067, State v. Robert V Betke

Applt. Mot. for Production Order **filed** 04/28/93 **has been reviewed by the court and the following order entered:**
Overruled as moot.

Respectfully,
CLERK OF THE SUPREME COURT

NEBRASKA SUPREME COURT
AND NEBRASKA COURT OF APPEALS
OFFICE OF THE CLERK
P.O. BOX 98910
2413 State Capitol Building
Lincoln, Nebraska 68509
(402) 471-3731

May 19, 1993

Robert V. Betke
Route #1, Box 56
Ravenna, NE 68869

IN CASE OF: S-93-0067, State v. Robert V Betke

Mot. of Appellee for Summary Dism or S/A **filed** 04/19/93 **has been reviewed by the court and the following order entered:**

Motion of appellee for summary affirmance sustained; judgment affirmed. See Rule 7B(2).

Respectfully,
CLERK OF THE SUPREME COURT

NEBRASKA SUPREME COURT
AND NEBRASKA COURT OF APPEALS
OFFICE OF THE CLERK
P.O. BOX 98910
2413 State Capitol Building
Lincoln, Nebraska 68509
(402) 471-3731

June 15, 1993

Robert V. Betke
Route #1, Box 56
Ravenna, NE 68869

IN CASE OF: S-93-0067, State v. Robert V Betke

Appellant/Motion for Rehearing filed 05/25/93 **has been reviewed by the court and the following order entered:**
Motion of appellant for rehearing overruled.

Respectfully,
CLERK OF THE SUPREME COURT

NEBRASKA SUPREME COURT
AND NEBRASKA COURT OF APPEALS
OFFICE OF THE CLERK
P.O. BOX 98910
2413 State Capitol Building
Lincoln, Nebraska 68509
(402) 471-3731

June 15, 1993

Robert V. Betke
Route #1, Box 56
Ravenna, NE 68869

IN CASE OF: S-93-0067, State v. Robert V Betke

Motion Appellant Ext Brf Dt-Brief Suppt MFR **filed** 04/19/93 **has been reviewed by the court and the following order entered:** Overruled.

Respectfully,
CLERK OF THE SUPREME COURT

NEBRASKA SUPREME COURT
AND NEBRASKA COURT OF APPEALS
OFFICE OF THE CLERK
P.O. BOX 98910
2413 State Capitol Building
Lincoln, Nebraska 68509
(402) 471-3731

June 15, 1993

Robert V. Betke
Route #1, Box 56
Ravenna, NE 68869

IN CASE OF: S-93-0067, State v. Robert V Betke

Applt Mot Finding of Fact/Conclus Law **filed** 05/25/93 **has been reviewed by the court and the following order entered:**
Overruled.

Respectfully,
CLERK OF THE SUPREME COURT

Date: June 18, 1993

NEBRASKA SUPREME COURT

To: Buffalo County District Court, Nebraska

WHEREAS, in a late action in your court, captioned:

State v. Robert V. Betke

you rendered judgment.

And, WHEREAS, the defendant, Robert V. Betke **prosecuted an appeal to this court. ON CONSIDERATION WHEREOF, the judgment which you rendered has been** affirmed by the Supreme Court.

NOW, THEREFORE, you shall without delay, proceed to issue a mandate to the trial tribunal directing it to enter judgment in comformity with the judgment and opinion of this court.

Costs of this appeal are to be paid by appellant **and are taxed at** $50.00.

WITNESS the Honorable William C. Hastings, Chief Justice, and the seal of this Court.

Lanet S. Asmussen
Clerk of the Supreme Court

SEAL:

(Signed) Jan Culver
Deputy Clerk

Supreme Court No. S-93-0067	COSTS IN THE SUPREME COURT
Trial Tribunal No. 492-473	Cost Due Clerk Sup. Ct. $-0-
Date Opinion Issued	Paid by District Court $50.00
No Opinion	Total Costs $50.00

NEBRASKA SUPREME COURT
AND NEBRASKA COURT OF APPEALS
OFFICE OF THE CLERK
P.O. BOX 98910
2413 State Capitol Building
Lincoln, Nebraska 68509
(402) 471-3731

June 28, 1993

Robert V. Betke
Route #1, Box 56
Ravenna, NE 68869

IN CASE OF: S-93-0067, State v. Robert V Betke

Applt. Mot. to stay mandate & brf. **filed** 06/24/93 **has been reviewed by the court and the following order entered:**
Overruled.

Respectfully,
CLERK OF THE SUPREME COURT

FILED: JUNE 25, 1993

IN THE DISTRICT COURT OF BUFFALO COUNTY, NEBR.

STATE OF NEBRASKA, Plaintiff,	)	CASE NO: 492-473
vs	)	JUDGMENT ON MANDATE
ROBERT V. BETKE, Defendant.	)	

ON THE 18th day of June, 1993, the Nebraska Supreme Court entered its mandate to this court affirming the decision of the Court for Buffalo County, Nebraska, which affirmed the prior decision of the County Court of Buffalo County, Nebraska. The Supreme Court mandate directed that this court, without delay proceed to issue a mandate to the trial tribunal and opinion of the Supreme Court. Further costs of the appeal to the Supreme Court are taxed to the appellant in the amount of $50.00.

NOW ON THIS 22nd day of June, 1993, this court finds that the judgment of the County Court of Buffalo County, Nebraska, having been affirmed, that mandate hereby issues to the said court and the County Court of Buffalo County, Nebraska is directed, without delay, to proceed to enter judgment in conformity with the judgment and opinion of the Nebraska Supreme Court. Costs of the appeal are taxed to the appellant in the amount of $50.00.

IT IS ORDERED, ADJUGED AND DECREED as hereinabove set forth.

BY THE COURT,
(Signed)_____
JOHN P. ICENOGLE,
District Judge

c Co Atty
Robert Betke
Co. Court

FILED: JULY 12, 1993

IN THE DISTRICT COURT OF BUFFALO COUNTY, NEBR.

STATE OF NEBRASKA, Plaintiff	)	CASE NO: 492-473
vs	)	JOURNAL ENTRY
ROBERT V. BETKE, Defendant	)	

ON THE 28th day of June, 1993, this court received a notice of the defendant's petition for a writ of certiorari to the United States Supreme Court which was accompanied by a request that this court stay enforcement of the judgment pursuant to the mandate of the Nebraska Supreme Court.

A review of this court's record reveals on June 23, 1993, a mandate was issued by this court to the trial tribunal, the Buffalo County Court, pursuant to the Nebraska Supreme Court mandate affirming the defendant's conviction. Because of the issuance of the mandate to the trial tribunal jurisdiction in the instant matter no longer resides in the District Court for Buffalo County. Insomuch as jurisdiction now vests with the original trial tribunal this court is without jurisdiction to act upon the request of the defendant and the motion for stay must be denied.

It appears that the appropriate forum for the defendant's request lies with the Buffalo County Court which under Nebraska Law may in its discretion stay enforcement of its prior order with or without the necessity of some bond being posted by the defendant with that court.

IT IS ORDERED, ADJUDGED AND DECREED as hereinabove set forth.

BY THE COURT,

c Co Atty
Robert Betke
Co. Court

(Signed)_____
JOHN P. ICENOGLE,
District Judge

A-12

FILED: AUGUST 10,1993

IN THE COURT OF BUFFALO COUNTY, NEBRASKA

STATE OF NEBRASKA,)
Plaintiff,) JOURNAL ENTRY
VS.) CITATION NO. PA517714 1
ROBERT V. BETKE,)
Defendant.)

On the 29th day of July, 1993, the above-captioned matter came on for hearing upon the judgment of the mandate issued by the District Court of Buffalo County Nebraska. The defendant was present pro se and the State was represented by Deputy County Attorney Susan Lehr.

The Court hereby finds that the earlier judgment of this court has been affirmed by the appellate court and therefore reaffirms its earlier judgment and sentence in this case. The defendant requested an extention to pay the fine and costs in that he expresses an intention to perfect an appeal to the United States Supreme Court.

Therefore, the court directs that the defendant appear before this court on September 27, 1993, at 9:00 a.am, and at said time be prepared to tender to the court the full fines and costs in the instant matter unless the defendant shall show proof, at that time, that he has perfected an appeal to the United States Supreme Court and upon that showing, the court grants a further extension of time on the payment of fines and costs.

It is therefore ORDERED, ADJUDGED and DECREED as hereinabove set forth.

BY THE COURT,

cc: Lehr
Bedke

(Signed)_____
GERALD R. JORGENSEN COUNTY JUDGE